

**FILED**

**APR 18 2011**

**SECRETARY, BOARD OF  
OIL, GAS & MINING**

**BEFORE THE BOARD OF OIL, GAS AND MINING  
DEPARTMENT OF NATURAL RESOURCES  
STATE OF UTAH**

IN THE MATTER OF THE REQUEST FOR AGENCY ACTION OF BERRY PETROLEUM COMPANY FOR AN ORDER OF THE BOARD SUSPENDING THE STATEWIDE WELL SITING RULE, APPROVING ENHANCED AND SECONDARY RECOVERY OPERATIONS, AUTHORIZING UNDERGROUND INJECTION, AND GRANTING AUTHORITY TO USE EXISTING PRODUCTION WELLS AS INJECTION WELLS IN A PILOT WATERFLOOD PROJECT IN THE GREEN RIVER FORMATION IN THE E½ OF SECTION 21, TOWNSHIP 5 SOUTH, RANGE 4 WEST, USM, DUCHESNE COUNTY, UTAH.

**ORDER GRANTING BERRY  
PETROLEUM COMPANY'S MOTION  
TO FILE LATE EXHIBITS**

**Docket No. 2011-006**

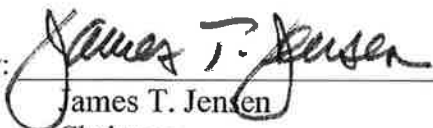
**Cause No. 246-02**

The Board of Oil, Gas and Mining (the "Board") having fully considered Berry Petroleum Company's Motion to File Late Exhibits ("Petitioner's Motion") and the grounds and reasons provided therefore, and good cause appearing, hereby enters its Order Granting Petitioner's Motion as follows:

1. Permitting the late filing of Exhibits A – M in accordance with Rule R641-105-400 of the Utah Administrative Code.
2. The effective date of this Order shall be April 18, 2011, or such earlier date as provided immediately below.
3. For all purposes, the Chairman's signature on a faxed copy of this Order shall be deemed the equivalent of a signed original.

ISSUED this 18<sup>TH</sup> day of April, 2011.

STATE OF UTAH  
BOARD OF OIL, GAS AND MINING

By:   
James T. Jensen  
Chairman

## CERTIFICATE OF SERVICE

I hereby certify that I caused a true and correct copy of the foregoing ORDER for Docket No. 2011-006, Cause No. 246-02 to be mailed with postage prepaid, this 18th day of April, 2011, to the following:

A. John Davis  
Mark L. Burghardt  
Holland & Hart LLP  
222 South Main Street, Suite 2200  
Salt Lake City, UT 84101-2001

Michael S. Johnson  
Assistant Attorneys General  
Utah Board of Oil, Gas & Mining  
1594 West North Temple, Suite 300  
Salt Lake City, UT 84116  
[mikejohnson@utah.gov](mailto:mikejohnson@utah.gov)  
**[Via Email]**

Steven F. Alder  
Assistant Attorneys General  
Utah Division of Oil, Gas & Mining  
1594 West North Temple, Suite 300  
Salt Lake City, UT 84116  
[stevealder@utah.gov](mailto:stevealder@utah.gov)  
**[Via Email]**

Berry Petroleum Company  
1999 Broadway Street, Suite 3700  
Denver, CO 80202

United States of America in Trust for the  
Ute Indian Tribe of the Uintah and Ouray  
Reservation, Utah  
c/o Bureau of Indian Affairs  
Uintah & Ouray Agency  
988 South 7500 East  
P.O. Box 130  
Fort Duchesne, UT 84026

